



REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
AUGUST 17, 2016

I. CALL TO ORDER

Chairman Matthew McCarthy called the monthly meeting of the Police Standards Advisory Council to order at 9:03 AM. A current copy of the Nebraska Open Meetings Act was on hand and available for reference. Notice of the meeting was published in the Lincoln Journal Star on Saturday, August 6, 2016. Roll call of members; Mr. Matthew McCarthy, Sheriff Jerry Watson, Sheriff Larry Koranda, Captain Genelle Moore, Lieutenant Colonel Thomas Schwarten, and Chief Tracy Wolf. Chief Timothy Larby was unable to attend.

II. APPROVAL OF JULY 20, 2016 P.S.A.C. MINUTES

MOTION

Captain Moore motioned to approve the minutes as presented. Sheriff Koranda seconded the motion. Voting in favor; Mr. McCarthy, Sheriff Watson, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Chief Wolf.

III. ACADEMY REPORTS

A. Director – N.L.E.T.C.

Mr. Muldoon reviewed the Director's report passed out prior to the meeting

194th Basic—Starting August 1, began with 48 students. 52 including 2 alternates arrived, 1 went home with a pre-existing back injury, 3 failed the entrance physical PRET(Physical Readiness Entrance Test). The PRET for the 195th will be given ahead of the December 5th start on November 15 at 9:00 AM at the Training Center. The PRET is explained at http://nletc.nebraska.gov/entrance_physical.html

NLETC Budget narratives for the 2017/2019 biennium have been forwarded to the Commission for their input and to be presented along with other code agency budgets.

State Buildings Division meeting, Executive Director Fisher, Colonel Rice and I met with DAS officials about conducting a new master facility training needs assessment and studying gun range safety aspects. The needs assessment is to better estimate future demands & capacity as well as prioritize identified needs and future building phases & budgets. The gun range study is to mitigate current liability concerns in the short term and before the new needs assessment can be completed.

Mr. Muldoon stated he would be inspecting the Training Center Academy, this afternoon with the assistance of Mr. McCarthy and Lieutenant Laurie Scott of the Omaha Police Academy.

B. Deputy Director of Training – N.L.E.T.C.

Ms. Urbanek was not present – no report was given.

C. Nebraska State Patrol

Trooper Hagen reported since the last meeting the Patrol held an Instructor Development Course, Auto Fraud Training, a Summer Trooper meeting, applicant testing for Camp 58. Go Bag training for first aid, Sergeant promotional process and interviews, UTV training and Troop C held ASPEN Training. Camp 57 graduated Friday, August 19th and Camp 58 is projected to begin February 27th with around 30 cadets.

IV. CRIME COMMISSION REPORT

Executive Director Fisher stated revenue projections were down so the priority was the increase in the Training Center's cash fund. We need an influx of a little over \$350,000 in the General Fund t in each of the next two years in order to make it workable.

We meet with the Governor Monday, August 22nd and hold a press conference on Blue Courage the same day. Chief Bliemeister is planning on attending and a representative from Omaha Police Department will be there as well.

We have four revocations pending, one is scheduled for the Council's review today, it is a voluntary surrender, another is scheduled for a revocation in mid November then we received another case on December 9th that dealt almost exclusively with an ethics issue. I will be moving for a dismissal from the Crime Commission on that one. The last one the Commission received on August 12th and both the Complainant and Respondent have been notified, we are awaiting the respondent's written response back on the allegations and then we will move forward on it.

V. OLD BUSINESS

**A. Tabled - Request to Host Supervision In Lieu Of NLETC
Sarpy County Sheriff's Office**

Mr. Muldoon reviewed the additional information received on the proposed Supervision Course they plan to hold. They have moved the date of the course from August to October 3-7, 2016 and

are working with Omaha PD to get a FIP instructor to teach a 4-hour segment. Additionally, they have identified the persons who will be conducting each area of training. They have also increased the legal area. They are looking for a blessing of the curriculum as presented here with the names, with the inclusion FIP, with the additional Legal, for a course that they will hold in October and at that time they will send us everyone who successfully completed the course and we will issue a Supervision certificate in-lieu-of attending here.

MOTION

Lieutenant Colonel Schwarten moved to make a motion to approve the submittal and request by Sarpy County Sheriff's Office to host an in-house Supervision school beginning October 3 – October 7, 2016 with the curriculum as presented and amended. Sheriff Watson seconded the motion. Voting in favor; Sheriff Watson, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, and Mr. McCarthy.

VI. NEW BUSINESS

A. Waiver of NLETC Supervision In Lieu Of LPO Provided by IACP Sergeant Matt Sutter, NSP

MOTION

Captain Moore moved to grant the waiver of NLETC Supervision in lieu of LPO provided by IACP Sergeant Matt Sutter, NSP. Sheriff Koranda seconded the motion. Voting in favor; Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, Mr. McCarthy, and Sheriff Watson.

B. Professional Instructor Certification/Recertification

Professional Certification

Jonathan Gorden - Omaha Police Department

MOTION

Sheriff Koranda motioned to approve the Professional Certification of Jonathan Gorden of the Omaha Police Department. Lieutenant Colonel Schwarten seconded the motion. Voting in favor; Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, Mr. McCarthy, Sheriff Watson, and Sheriff Koranda.

C. Extension of One-Year Supervision Training Requirement Sergeant Matt Core, Sarpy County Sheriff's Office

Mr. Muldoon stated Sergeant Core does plan to take the October 3-7, 2016 at Sarpy County Sheriff's Office.

MOTION

Chief Wolf motioned to grant the extension. Captain Moore seconded the motion. Voting in favor; Lieutenant Colonel Schwarten, Chief Wolf, Mr. McCarthy, Sheriff Watson, Sheriff Koranda, and Captain Moore.

D. Waiver of NLETC Management Course in-lieu-of FBINA
Captain Jim Duerling – Grand Island Police Department

MOTION

Lieutenant Colonel Schwarten motioned to accept the waiver of NLETC's Management course for Captain Jim Duerling of Grand Island Police Department who has attended and successfully completed the FBI National Academy program in 2014 with the addition of the on-line Legal presented by Mr. Stolz here at NLETC and successful completion of that. Captain Moore seconded the motion. Voting in favor; Chief Wolf, Mr. McCarthy, Sheriff Watson, Sheriff Koranda, Captain Moore, and Lieutenant Colonel Schwarten.

E. Revocation – Bryon R. Wilkinson Jr. LR-114-15

Mr. Stolz asked that the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing by Bryon R. Wilkinson be marked as Exhibit #1, gave a summary of the revocation process for LR-114-15, Bryon R. Wilkinson Jr. and asked the Council to accept his relinquishment and surrenderment and made a recommendation to the Council that the respondent's law enforcement certifications be revoked. The Consent to Revocation was marked and Mr. McCarthy received Exhibit #1 into the record.

MOTION

Captain Moore motioned: Based upon the fact that the respondent has signed a consent to revocation of law enforcement of certificate and waiver of Notice and Hearing and has voluntarily surrendered his certificate, I make a motion that the Council accept the surrender of Bryon R. Wilkinson Jr., Nebraska Law Enforcement Certificates as evidence of incompetence and neglect of duty. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. This motion includes his law enforcement certificate along with his Management certificate. Sheriff Koranda seconded the motion. **Voting in favor:** Mr. McCarthy, Sheriff Watson, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Chief Wolf. Chief Larby was not present.

F. Title 79, Chapter 3; Reciprocity Certification of Law Enforcement Officers In Lieu Of Attending State Certification Training Courses

Mr. Stolz stated the Rule and Regulation was distributed prior to the meeting for review.

Mr. Fisher stated one of the Governor's initiatives is "Grow Nebraska." It is difficult for law enforcement to assist through normal available means that private business has been doing but there are certain things we can do to help with that initiative. One of his initiatives is to try and keep Nebraska servicemen to stay and retire here when they depart the service. So to that end; Dave, Bill, Brenda and I racked our brains trying to figure out a means that we could be helpful to law enforcement and keep military personnel within the state and still maintain law enforcement integrity and grow public safety and things along those lines.

One of the things Bill brought forward was this initiative. Statute gives us the right to bless prior law enforcement training with the idea that whatever they are deficient in that we are covering in basic training can actually be a plug and play kind of system, where if we have a military policeman who out processes and wants to return to Nebraska or an air policeman out of Offutt air force base who wants to remain in the Omaha area why can't that person put their skills to use in Nebraska? They can, statute gives us that right. We just have to modify our rule and regulation. This proposal we are making will allow out processing military policemen credit for the time they served as military police, the training for the time they served, to come to Nebraska get employed and only have to take the training they did not get. Probably the best example would be SFST during their military training, that is a plug and play deal, they could come to basic training session plug themselves in for one week, get up to date on SFST, and after that week, return to work and be certified.

Mr. Muldoon stated according to IADLEST there were only 18 states that would consider a military transcript. But what was lacking was an ability to back load something where they were deficient, so they would have to come where they were deficient. They would have to come where they were a straight across reciprocity student like anybody else that their training met or exceeded training here in Nebraska and there wasn't the provision and that's why we went back and took a look at either doing an OI or a rule change that if there was one topical area where they were deficient in and we could easily apply ourselves as a plug and play system for that one topical area as opposed to just saying no. I agree with the go Nebraska that as small as we are, we could probably do this, we don't get many of these requests at all, we have had a few, so for the few we get we are not a big player as far as hundreds of people trying to come across but at least for the few that do come they would at least have the option and have it permissible by rule where we can consider their transcript, consider the training that they had, consider all the in-service that they had and have the option that there was just one area that they didn't get for whatever reason, maybe it was patrol rifle, we can plug them in as another vehicle for reciprocity. These are handled individually, they are gone over and reviewed and then they have to also pass the RR course. So they will also get the legal, as the RR's do, they will get the vehicle refresher, but at least it opens that door.

Mr. Stolz stated it is to keep it on a level playing field for the truly law enforcement officer coming from another state or Federal agency in the military so if you go through this, obviously the underlying language is new language some of the language on page 13, the second page, instead of having underline and strike through in the same paragraph I restructured it, so it would make sense. They can only be deficient in one of the topical areas: Patrol Procedures, Officer Survival, Investigation, Human Understanding and Traffic Operations. Legal is the other major one, but

they will be taking that anyway, they can be deficient in one of these areas. Deficient is defined in §004.03B(2)(b).

If they have to take the challenge test, we will probably pull any topical area questions from the core area out of the challenge test, because they will have to come to basic training for that, but they will not be plug and played into a basic training course until they have successfully completed the Reciprocity course.

MOTION

Lieutenant Colonel Schwarten motioned to approve the changes to Title 79, Chapter 3 – Reciprocity Certification of Law Enforcement Officers In Lieu Of Attending State Certification Training Courses as presented by Mr. Stolz. Sheriff Watson seconded the motion. Voting in favor; Sheriff Watson, Sheriff Koranda, Captain Moore, Lieutenant Schwarten, Chief Wolf, and Mr. McCarthy.

- G. Waiver of NLETC Supervision Training in-lieu-of LPO**
William Niemack, Douglas County Sheriff's Office

MOTION

Captain Moore motioned to grant the waiver of the Nebraska Law Enforcement Training Center Supervision Training Center Supervision Training in-lieu-of Leadership in Police Organization for William Niemack of the Douglas County Sheriff's Office. Sheriff Watson seconded the motion. Voting in favor; Sheriff Koranda, Captain Moore, Lieutenant Schwarten Chief Wolf, Mr. McCarthy, and Sheriff Watson.

VII. OTHER BUSINESS

- A. Date, Time & Location of Next Meeting**
September 21, 2016 at 9:00; Library, Nebraska Law Enforcement Training Center,
3600 North Academy Road, Grand Island, Nebraska 68801

Sheriff Koranda discussed the November meeting stating it would be held in the state building in Lincoln since the revocation hearing was scheduled there for the same date.

Hearing no further business the meeting adjourned at 10:25 am.

Respectfully submitted,



Kay Fielding,
Secretary to the Council